## REMARKS

Claims 13-34 are pending. Claims 13 and 29-32 are amended. No new matter is entered.

In the Office Action dated April 3, 2006, the Examiner rejected claim 20 under 35 U.S.C. § 112, ¶2 as being indefinite, and claims 13-30 under 35 U.S.C. § 103(a) as being unpatentable over a web page from the Department of Labor and Workforce Development, Unemployment Insurance ("Insurance") in view of U.S. Patent No. 5,966,693 to Burgess ("Burgess"), and rejects claims 31 through 34 as unpatentable over Insurance in view of Burgess and further in view of U.S. Patent Application No. 2002/013717 to Ando, et al. ("Ando"). For at least the reasons set forth below, these rejections are traversed and reconsideration is requested.

With respect to the rejection of claim 20 under 35 U.S.C. § 112, ¶2, it is submitted that the term "healthy financial practices" is definite. Indeed, the Examiner acknowledges that the phrase is old and well known in the business of insurance at page 4 of the Office Action. Furthermore, it is also submitted that the term "healthy financial practices" is described in the application specification in such a manner as to teach one of ordinary skill in the art of financial management of such practices. *See, e.g.,* page 13, lines 11-20. Withdrawal of the 35 U.S.C. § 112, ¶2 rejection of claim 20 is respectfully requested.

With respect to the rejection of claims 13 - 30 as being obvious over Insurance in view of Burgess, it is submitted that it would not have been obvious to combine Insurance with Burgess, and even if it were, the combination of references does not disclose or suggest the present invention. The Insurance reference relates to Unemployment Insurance as defined by the Tennessee Department of Labor and Workforce Development. The Examiner contends that Insurance at page 2, para 3, discloses dynamically adjusting the allocation in response at least in

part to one or more changes in the employment data. Office Action at page 3. However, Insurance at page 2, paras 1-4, only discusses the cost of unemployment insurance for employers, including premium rates which are based on an employer's experience. There is no reference in Insurance to *allocating a first portion of funds* to a defined unemployment insurance vehicle based at least in part on *employment data of a consumer*, as specifically recited in amended claims 13 and 29. Instead, Insurance only discusses basing premium rates on an employer's experience, which appears to relate to benefit payments made to the employer's terminated employees. There is no discussion of the use of *employment data of a consumer* to calculate anything. Nor is there any reference in Insurance to dynamically adjusting an allocation between a first portion and a second portion in response at least in part to one or more changes in the employment data of the consumer, as acknowledged by the Examiner at page 3 of the Office Action.

Burgess discusses an employee life insurance plan in which employers borrow to cover insurance premiums for a policy owned by the employees and pay interest on the loan for the life of the plan. The insurance policy is assigned as collateral to secure the loan. Abstract.

The Examiner alleges that Burgess discloses allocation of funds between an insurance program and a savings vehicle at col. 2, lines 36-67 and allocation between the first portion and the second portion in response at least in part to one or more changes in the experience data at col. 2, lines 55-67. Office Action at page 3. The Examiner further alleges that it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Insurance to include the savings aspects of Burgess because this would provide a method for supplying unemployment benefits while also encouraging savings, as allegedly disclosed by Burgess at col. 1, lines 19-27.

Contrary to the Examiner's contentions, Burgess (e.g. at col. 2, lines 36-67) does not disclose allocation of funds between an insurance program and savings vehicle. Rather, Burgess simply discusses borrowing money to pay for the insurance premium. There is no savings vehicle or other second or separate financial product disclosed in Burgess to which funds may be allocated from an insurance program. Indeed, none of the embodiments discussed in Burgess relate to two separate vehicles, specifically an insurance and a savings vehicle, of a financial product. Burgess simply relates to a life insurance product which can be paid for by borrowing funds which are secured by the insurance product itself.

Specifically, the Examiner cites Burgess at col. 2, lines 55-67 as disclosing allocation between the first portion and the second portion in response at least in part to one or more changed in experience data. Office Action at page 3. However, this section discusses that the premium for the life insurance plan is calculated as a function of mortality rates and expected return on investments. Life insurance products often calculate premiums based on actuarial data relating to mortality and expected returns in investments of premium funds, and Burgess simply discusses premium calculations which are based on mortality data. There is no disclosure in Burgess of dynamically adjusting premium calculations for a financial product based on data. Nor is there any disclosure in Burgess of dynamically adjusting allocating of funds for two components of a financial product based on data.

The present invention relates to a system and method for asset accumulation in which income insurance is provided via an unemployment insurance vehicle together with a savings component, such as a savings account, mutual fund shares, shares of stock, or other savings investment vehicle. Application, e.g., at page 1, lines 12-15, page 12, lines 11-22. To provide asset accumulation, consumers contribute funds which are dynamically allocated to the

insurance vehicle and savings vehicle. One of the novel aspects of the present invention is that it provides an integrated financial product which allocates funds to two financial vehicles – unemployment insurance and savings. This provides a consumer the ability to manage the risk of losing income should the consumer become unemployed, and growing a savings investment. One basis for the allocation of funds between the insurance and savings vehicles is the consumer's employment data. Application, e.g., at page 10, line 20 – page 11, line 5, page 12, lines 1 – 10. Yet another of the novel aspects of the invention is that employment data of the consumer may be used to dynamically adjust the allocation between the insurance and savings vehicles in response to a change in the employment data. This is useful because it provides the ability to change the financial product to align with the current needs of the consumer based on employment data and maximize savings investments while minimizing the cost of insuring against the risk of loss of income.

Amended claims 13 and 29 specifically recite "a… method for managing an integrated financial product… comprising… allocating a first portion of the funds to a defined unemployment insurance vehicle based at least in part on employment data of the consumer." As described herein, it is submitted that Insurance and Burgess, separately or in combination, do not describe or suggest allocating any funds, much less a portion of funds, to an insurance product based on *employment data of the consumer.*

Claim 13, as amended, further specifies "a… method for managing an integrated financial product… comprising… dynamically adjusting the allocation between the first portion and the second portion in response at least in part to one or more changes in the employment data of the consumer." As described herein, it is submitted that Insurance and Burgess, separately or in combination, do not describe an integrated product that includes two separate vehicles, e.g., an

insurance vehicle and savings vehicle to which a dynamic adjustment of an allocation of funds is provided based on changes in employment data. Instead, Insurance and Burgess simply describe a single financial product, namely unemployment insurance and life insurance, respectively, which have premiums based on benefit payouts (Insurance) and mortality rates (Burgess).

For at least these reasons, it is submitted that claims 13 and 29 are patentable over the cited references. The dependent claims 14-28 and 30-34 of the present application contain additional features that further substantially distinguish the invention of the present application over the prior art of record. Given the Applicant's position on the patentability of the independent claims, however, it is not deemed necessary at this point to delineate such distinctions.

For at least all of the above reasons, we respectfully request that the Examiner withdraw his rejections and allow the pending claims. To expedite prosecution of this application, the Examiner is invited to call the undersigned attorney to discuss any issues relating to this application.

Respectfully submitted,

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Pristine Johannessen
Reg. No. 55,302
Attorney for Applicants

***Customer No. 29858***
Brown Raysman Millstein Felder &
Steiner LLP
900 Third Avenue
New York, NY 10022
Tel. (212) 895-2000
Fax (212) 895-2900